

BS99159  
U.S. Application No. 09/966,703 Art Unit 2145  
Response to May 2, 2007 Office Action

### **REMARKS**

In response to the Office Action dated May 2, 2007, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 16 and 18-48 are pending in this application. Claims 1-15, 17, and 49-57 have been canceled without prejudice or disclaimer.

#### **Rejection of Claims under § 102 (e)**

Claims 1, 16, 30, and 44 were rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent 6,430,177 to Luzeski *et al.* A claim is anticipated only if each and every element is found in a single prior art reference. *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d (BNA) 1051, 1053 (Fed. Cir. 1987). *See also* DEPARTMENT OF COMMERCE, MANUAL OF PATENT EXAMINING PROCEDURE, § 2131 (orig. 8<sup>th</sup> Edition) (hereinafter "M.P.E.P.").

Claim 1 has been canceled, so the rejection of claim 1 is moot.

*Luzeski* cannot anticipate independent claims 16, 30, and 44. These claims recite, or incorporate, many features that are not disclosed or suggested by *Luzeski*. Independent claim 16, for example, recites:

the communications manager having the following interoperating functions:

an information briefs function that includes the user's name and password information and, when the user is recognized, the information briefs function presents customized information that greets the user at activation, the customized information including identification information of others who are authorized to make use of the communications manager, the customized information including preferences for times of communications, the communications manager accessing a database storing information on new wireless users and, when the user's name is

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present in the database, the communications manager obtaining the user's mobile phone number from the database;

a directories function allowing the user to create and to access information resources, the directories function including features that provide guidance to the user when checking the information resources;

a message center function allowing the user to view and access telephone call messages, electronic mail messages, voicemail messages, facsimile messages, and paging messages, the message center function also permitting the user to initiate communications and telephone calls, the message center function obtaining directory information from the directories function to set up a communication template for a preferred mode of communication;

a message log function providing summaries of new and sent communications, the message log function also providing an activity log that tracks the user's communications activity;

a calendar and scheduler function allowing the user to establish notifications regarding an electronic calendar; and

an account information function exchanging the user's name and password information to allow the user to view account information, to configure services, to obtain help information from a service provider, and to access a third party's subscription center to purchase products and services.

Support for such features may be found in the as-filed application at page 3, lines 15-20; at page 10, line 11 through page 13, line 20; at page 15, lines 4-5; and at page 22, lines 1-5 and lines 23-29. Independent claims 30 and 44 recite the same features.

The patent to Luzeski *et al.* fails to disclose or suggest all these features. The patent to Luzeski *et al.* discloses a unified messaging system having a "Voice Mail Message Manager" or "VMMM." See, e.g., U.S. Patent 6,430,177 to Luzeski *et al.* (Aug. 6, 2002) at column 5, lines 35-40. The patent to Luzeski *et al.* discusses voicemail messages (*see id.* at column 12, lines 32-47), email notifications for failed voicemail recipients (*see id.* at column 12, lines 48-57), storage of voicemail messages (*see id.* at column 18, lines 55-60), and a "universal inbox" for messages (*see id.* at column 18, lines 60-65). The patent to Luzeski *et al.* also discusses viewing this inbox (*see id.* at column 20, lines 7-30), opening voicemail messages (*see id.* at column 20, line 55 through column 21, line 5), and deleting voicemail messages (*see id.* at column 22, lines 20-40). Despite these teachings, Luzeski fails to disclose or suggest many features recited in independent

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claims 16, 30, and 44. *Luzeski*, then, cannot anticipate independent claims 16, 30, and 44. The Assignee thus respectfully requests removal of the § 102 (e) rejection of claims 16, 30, and 44.

**Rejection of Claims 1, 3, 16, 30-31 & 44-45 under § 103 (a)**

The Office rejects claims 1, 3, 16, 30-31, and 44-45 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 6,515,968 to Combar *et al.* in view of *Luzeski*.

Claims 1 and 3 have been canceled, so the rejection of these claims is moot.

Claims 16, 30-31, and 44-45 cannot be obvious. These claims recite, or incorporate, many features that are not disclosed or suggested by the combined teaching of *Combar* and *Luzeski*. Independent claims 16, 30, and 44 recite:

the communications manager having the following interoperating functions:

an information briefs function that includes the user's name and password information and, when the user is recognized, the information briefs function presents customized information that greets the user at activation, the customized information including identification information of others who are authorized to make use of the communications manager, the customized information including preferences for times of communications, the communications manager accessing a database storing information on new wireless users and, when the user's name is present in the database, the communications manager obtaining the user's mobile phone number from the database;

a directories function allowing the user to create and to access information resources, the directories function including features that provide guidance to the user when checking the information resources;

a message center function allowing the user to view and access telephone call messages, electronic mail messages, voicemail messages, facsimile messages, and paging messages, the message center function also permitting the user to initiate communications and telephone calls, the message center function obtaining directory information from the directories function to set up a communication template for a preferred mode of communication;

a message log function providing summaries of new and sent communications, the message log function also providing an activity log that tracks the user's communications activity;

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a calendar and scheduler function allowing the user to establish notifications regarding an electronic calendar; and

an account information function exchanging the user's name and password information to allow the user to view account information, to configure services, to obtain help information from a service provider, and to access a third party's subscription center to purchase products and services.

*Combar* and *Luzeski* cannot obviate all these features. The patent to *Luzeski et al.* fails to teach or suggest all these features, and *Combar* does not cure these deficiencies. *Combar* describes a "Traffic View" server that allows customers to view "real time operation of the network." Still, though, the combined teaching of *Combar* and *Luzeski* fails to teach or suggest all these features recited by independent claims 16, 30, and 44. Dependent claims 31 and 45, respectively, depend from independent claims 30 and 44 and incorporate the same features. Because *Combar* and *Luzeski* are silent to many of the claimed features, one of ordinary skill in the art would not think that claims 16, 30-31, and 44-45 are obvious. The Assignee thus respectfully requests removal of the § 103 (a) rejection of claims 16, 30-31, and 44-45.

#### **Rejection of Claims 2, 17 & 57 under § 103 (a)**

The Office rejects claims 2, 15, and 57 under 35 U.S.C. § 103 (a) as being obvious over *Combar* in view of *Luzeski* and further in view of U.S. Patent 6,731,927 to Stem, *et al.* These claims have been canceled, so the rejection is moot.

#### **Rejection of Claims under § 103 (a) over *Combar*, *Luzeski* & *Kung***

The Office rejects claims 4-6, 8-14, 18-20, 22-28, 32-34, 36-42, 46-48, and 50-56 under 35 U.S.C. § 103 (a) as being obvious over *Combar* in view of *Luzeski* and further in view of U.S. Patent 6,917,610 to Kung *et al.*

Claims 4-6, 8-14, and 50-56 have been canceled, so the rejection of these claims is moot.

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Claims 18-20, 22-28, 32-34, 36-42, 46-48 cannot be obvious. These claims incorporate many features that are not disclosed or suggested by the combined teaching of *Combar*, *Luzeski*, and *Kung*. As the above paragraphs explained, the combined teaching of *Combar* and *Luzeski* fails to teach or suggest all the features recited by independent claims 16, 30, and 44. The additional teaching of *Kung* does not cure these deficiencies. *Kung* discloses an activity log for incoming and outgoing communications. Still, though, the combined teaching of *Combar*, *Luzeski*, and *Kung* remains silent to many of the features recited in independent claims 16, 30, and 44. Dependent claims 18-20, 22-28, 32-34, 36-42, 46-48 incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that claims 18-20, 22-28, 32-34, 36-42, 46-48 are obvious. The Assignee thus respectfully requests removal of the § 103 (a) rejection of these claims.

**Rejection of Claims 7, 15, 21, 29, 35, 43 & 49 under § 103 (a)**

The Office rejects claims 7, 15, 21, 29, 35, 43, and 49 under 35 U.S.C. § 103 (a) as being obvious over *Combar* in view of *Luzeski* and *Kung*, and further in view of U.S. Patent Application Publication 2002/0099777 to Gupta *et al.*

Claims 7, 15, and 49 have been canceled, so the rejection of these claims is moot.

Claims 21, 29, 35, and 43 cannot be obvious. These claims incorporate many features that are not disclosed or suggested by the combined teaching of *Combar*, *Luzeski*, *Kung*, and *Gumpta*. As the above paragraphs explained, the combined teaching of *Combar*, *Luzeski*, and *Kung* fails to teach or suggest all the features recited by independent claims 16 and 30. The additional teaching of *Gumpta* does not cure these deficiencies. *Gumpta* discloses an email collaboration client having a calendar component. Still, though, the combined teaching of *Combar*, *Luzeski*, *Kung*, and *Gumpta* remains silent to many of the features recited in independent claims 16 and 30. Dependent claims 21, 29, 35, and 43 incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that

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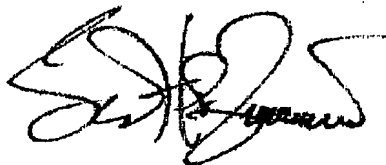
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claims 21, 29, 35, and 43 are obvious. The Assignee thus respectfully requests removal of the §  
103 (a) rejection of these claims.

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If any questions arise, the Office is requested to contact the undersigned at (919) 469-  
2629 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott P. Zimmerman', with a stylized flourish at the end.

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